

REMARKS

In the Office Action dated October 20, 2004, the drawings are objected to under 37 CFR 1.83(a) for failing to correctly show the third score line. Further, pending claims 1 through 11 and 15 through 20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,053,112 ("Scott"). Finally, pending claims 12 through 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,383,782 ("Pillifant").

Drawings

The drawings are objected to under 37 CFR 1.83(a) for failing to correctly show the third score line. Applicant amends Figure 1, and is enclosing a corrected drawing sheet in accordance with 37 CFR 1.121(d), to show reference number 41 as the third score line by dashing the formerly solid line. Applicant submits that the drawings are now in condition for acceptance and respectfully request the Examiner accept the drawings.

35 U.S.C. §102

Pending claims 1 through 11 and 15 through 20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,053,112 ("Scott"). Scott, however, does not disclose each and every limitation of Applicant's amended independent claims 1, 8, and 15. In particular, Scott does not teach or disclose the brace section including a flap as required by independent claims 1 and 15. The Examiner identifies both the flap and the brace as reference number (13¹), whereas the Applicant claims the flap and brace as separate elements. Scott also does not disclose the flap connected to the back panel extending toward the front panel, as required by

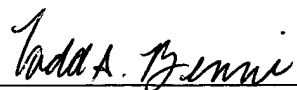
Applicant's claim 8. As is clear from Figs. 2 and 5 of Scott, the element identified by the Examiner as the flap (13¹) extends away from the front panel. Finally, Scott does not disclose the flap providing a biasing force on the goods when in the holder. There is no element in Scott that provides a biasing force, much less a flap that provides a biasing force on goods in the holder. Any good placed in the holder of Scott would just rest on the ledge (19) and would have no biasing force applied to it. Therefore, Applicant submits that claims 1, 8, and 15 are allowable and requests the Examiner withdraw the rejections thereof.

As claims 2 through 7, 9 through 11, and 16 through 20 either depend directly or indirectly from claims 1, 8, and 15, Applicant respectfully submits that said claims are allowable and requests the Examiner withdraw the rejections thereof.

Finally, pending claims 12 through 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,383,782 ("Pillifant"). Pillifant, however, does not disclose each and every limitation of Applicant's amended claim 12. In particular, Pillifant does not disclose a flap extending from the bottom panel upward toward the front panel, wherein the flap provides a biasing force on the goods when in the holder. As stated in column 9, lines 21 through 25, the flap 136 creates a tray for a battery. It does not provide a biasing force whatsoever. Therefore, Applicant submits that claims 12 through 14 are allowable and requests the Examiner withdraw the rejections thereof.

In light of the foregoing, Applicant submits that the application is in condition for allowance.

Respectfully submitted,



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Date: Dec. 7, 2004



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Martha A. Dempsey Group Art Unit: 3632
Serial No.: 10/696,128 Examiner: Sterling, Amy J.
Filing Date: October 29, 2003 Docket No.: 13277-00004
Title: PRODUCT DISPLAY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

Dear Sir:

I hereby certify that these papers are being deposited with the United States Postal Service with sufficient postage as first class mail on the date below and in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313-1450.

December 7, 2004

Date of Deposit

Michelle Beatty

(Typed or Printed Name)

Documents Deposited:
1. Response to Office Action

MBeatty
Signature